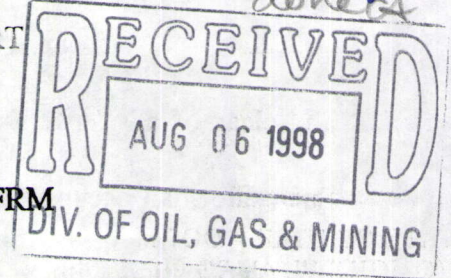


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B. Moguen  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION



IN RE

JUMBO MINING COMPANY

DEBTOR

§  
§  
§  
§  
§  
§

CASE NO. 97-14326FRM

CHAPTER 7

**APPLICATION TO SELL PROPERTY OF THE BANKRUPTCY ESTATE BY  
PUBLIC AUCTION FREE AND CLEAR OF LIENS AND OTHER INTERESTS  
AND FOR PAYMENT OF AUCTIONEER'S FEES AND EXPENSES OF SALE**

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO  
YOUR INTERESTS.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY (20) DAYS  
FROM THE DATE OF SERVICE, NO HEARING WILL BE HELD AND  
THE RELIEF REQUESTED IN THE MOTION WILL BE GRANTED  
WITHOUT A HEARING BEING HELD. A TIMELY FILED RESPONSE  
IS NECESSARY FOR A HEARING TO BE HELD.**

TO THE HONORABLE BANKRUPTCY JUDGE:

C. Daniel Roberts, the appointed, acting and qualified Trustee in the above-captioned bankruptcy case, hereby files this his Application to Sell Property of the Bankruptcy Estate By Public Auction Free and Clear of Liens and Other Interests and for Payment of Auctioneer's Fees and Expenses of Sale ("Application"), and would show the Court as follows:

1. This case was filed as a Chapter 7 bankruptcy and the undersigned ("Trustee") was appointed as Trustee on November 11, 1997.
2. The Trustee intends to sell certain property, including but not limited to, equipment, machinery, furniture, and vehicles, located in and around Delta, Utah, by public auction pursuant to 11 U.S.C. §363 and Bankruptcy Rule 6004. The Trustee asserts that said property is wholly owned by the bankruptcy estate. This Application does not contemplate the sale of property owned by third party vendors and leased to the Debtor. After considerable investigation, the Trustee believes that there are no valid liens which attach to the Property.

4. Each item or lot will be sold to the highest bidder for cash and will be sold free and clear of all liens, with all valid and unavoidable liens to attach to the proceeds of sale. Such sale shall occur as soon as practical after the entry of an order from this Court approving this Application with notice of the date, time and location of such sale to all creditors and parties-in-interest requesting same.

5. The Property will be sold by Tom Erkelens, Auctioneer whose employment was approved by order of this Court dated April 22, 1998 at the compensation rate of fifteen percent (15%) of the gross sales proceeds, plus reasonable expenses of sale. Trustee hereby seeks to pay such commissions, together with all expenses of sale, out of the gross auction proceeds, upon receipt thereof.

WHEREFORE, PREMISES CONSIDERED, Trustee requests that the sale of estate property by public auction and the compensation of professionals contemplated herein be approved.



C. Daniel Roberts, Trustee  
707 Rio Grande, Second Floor  
Austin, Texas 78701  
Telephone: (512) 494-8448  
Facsimile: (512) 494-8712

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4 day of August, 1998, a true and correct copy of the foregoing document was served upon all creditors and parties-in-interest listed on the attached Exhibit "A."



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